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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

DEENA WASHINGTON,

Plaintiff,

v.

**UNITED PARCEL SERVICE,
INC.,**

Defendant.

Case No. 6:20-cv-00077-SEH

**DEFENDANT'S INITIAL
DISCLOSURES**

Defendant United Parcel Services, Inc. ("UPS" and "Defendant") makes the following initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1)(A). Defendant makes these initial disclosures based on information reasonably available to Defendant as of this date, recognizing that its investigation into the facts of this case is continuing. By making the following initial disclosures, Defendant does not represent that it is identifying every document, tangible thing, or witness relevant to this lawsuit. Defendant reserves the right to supplement, change, or amend these initial disclosures. Further, Defendant reserves the right to call any witness, including

expert witnesses, or to present any exhibit or item at trial not listed herein but determined through discovery or investigation to be relevant to the subject matter of this action.

Defendant's initial disclosures are also made without waiving: (1) the right to object on any grounds, including, but not limited to, competency, privilege, relevancy, materiality, or hearsay, to the use of such information for any purpose, in whole or in part, in any subsequent proceeding in this action or any other action; and (2) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these initial disclosures.

All of the initial disclosures set forth below are made subject to the above qualifications:

- I. The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.**

ANSWER: Defendant believes that the following individuals may have discoverable information that Defendant may use to support its claims or defenses. Each individual may be contacted through undersigned counsel.

1. Kristine Irish, UPS GEO Services

Ms. Irish may have information regarding Plaintiff's job applications, interviews, and hiring status, as well as relevant UPS policies and procedures, the allegations within Plaintiff's Complaint and Defendant's defenses to the Complaint.

2. James Jones, Helena Hub Safety Supervisor.

Mr. Jones may have information regarding Plaintiff's job applications, interviews, and hiring status, as well as relevant UPS policies and procedures, the allegations within Plaintiff's Complaint and Defendant's defenses to the Complaint.

3. Plaintiff Deena Washington has knowledge regarding the allegations in her Complaint.

4. Any and all witnesses identified by Plaintiff and not objected to by Defendant.

5. Defendant reserves their right to supplement this list with any additional witnesses identified during the discovery phase of this matter.

II. A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

ANSWER: Based on a reasonable investigation to date, the following categories of documents, electronically stored information, and tangible things from the time period during which Plaintiff was employed and that remain in the possession, custody, or control of Defendants, may be used to support their defenses or otherwise oppose each of the Plaintiff's claims.

1. Relevant policies of Defendant UPS.
2. Plaintiff's personnel records.
3. The job description for positions to which Plaintiff applied and an email related to one of the positions.
4. Any relevant, non-privileged documents identified by Plaintiff and not objected to by Defendants.

Defendant reserves the right to supplement this list with any additional documents identified during the discovery phase of this matter.

III. A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

ANSWER: Defendant is not seeking any damages in this matter other than any award it would be entitled to as a prevailing party.

IV. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

ANSWER: Defendant is not aware of any insurance agreement applicable to the instant litigation.

Dated June 1st, 2021

Respectfully submitted,

By: Michelle L. Gomez
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

On June 1st, 2021, a true and correct copy of the foregoing document was served via email, certified mail, and/or the court's e-filing system, on counsel of record as follows:

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**ATTORNEYS FOR PLAINTIFF
DEENA WASHINGTON**

/s/ Michelle L. Gomez
MICHELLE LYNN GOMEZ